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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

PARADISE UNIFIED SCHOOL  
DISTRICT, ET AL,

Appellants,

v.

FIRE VICTIM TRUST, ET AL,

Appellees.

Case No. 20-cv-05414 (HSG)

Bankruptcy Case No. 19-30088 (DM)

**JOINT STIPULATION  
AND ORDER SCHEDULING  
BRIEFING ON MOTION TO  
DISMISS APPEAL**

Judge: Hon. Haywood S. Gilliam, Jr.

Appellees, the Honorable John K. Trotter (Ret.), as trustee of the Fire Victim Trust (the “**Trustee**”), and the Official Committee of Tort Claimants (the “**TCC**”), and Appellants, Adventist Health System/West and Feather River Hospital d/b/a Adventist Health Feather River (each a California nonprofit religious corporation); Paradise Unified School District, Northern Recycling and Waste Services, LLC/Northern Holdings, LLC, and Napa County Recycling & Waste Services, LLC/Napa Recycling & Waste Services, LLC; and Comcast Cable Communications, LLC and all affiliates, hereby stipulate as follows:

WHEREAS, the Trustee and the TCC filed the *Joint Motion of the Fire Victim Trustee and the Official Committee of Tort Claimants to Dismiss as Moot the Appeal of Paradise Unified School District, et al.* on October 2, 2020 (the “**Motion to Dismiss**”) [Docket No. 26];

WHEREAS, the Motion to Dismiss is currently set to be heard on January 7, 2021, Appellants must file any response to the Motion to Dismiss by October 16, 2020, and Appellees must file any reply to Appellants’ response by October 23, 2020;

WHEREAS, the parties submitted a proposed *Joint Stipulation and Proposed Order Scheduling Hearing On Motion To Dismiss Appeal* on October 7, 2020 (the “**Proposed Stipulation**”) [Docket No. 29] seeking to schedule the hearing on the Motion to Dismiss to be heard at the October 29, 2020 hearing along with three other motions to dismiss filed by the Reorganized Debtors in connection with appeals taken of the Confirmation Order, and scheduling a briefing schedule on the Motion to Dismiss;

WHEREAS, the Court denied the proposed Stipulation on October 9, 2020 [Docket No. 30];

WHEREAS, the parties submit that a short extension of the current briefing schedule in light of the current hearing date of January 7, 2021, would be appropriate

1 to ensure the most effective and efficient presentation of the issues for the Court's  
2 consideration.

3 **IT IS HEREBY STIPULATED:**

4 1. Appellants must file any response to the Motion to Dismiss by October  
5 30, 2020.

6 2. Appellees must file any reply to Appellants' response to the Motion to  
7 Dismiss by November 20, 2020.

1 DATED: October 13, 2020

BROWN RUDNICK LLP

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3 By: /s/ David J. Molton

4 David J. Molton

5 *Counsel to the Fire Victim Trustee*

6 MACCONAGHY & BARNIER, PLC

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8 By: /s/ John H. MacConaghy

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11 *Claimants*

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24 *and Feather River Hospital d/b/a Adventist*  
25 *Health Feather River*

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2 REED SMITH LLP

3 By: /s/ David E. Weiss

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6 *Attorneys for Paradise Unified School*  
7 *District, Northern Recycling and Waste*  
8 *Services, LLC/Northern Holdings, LLC*  
9 *and Napa County Recycling and Waste*  
10 *Services, LLC/ Napa Recycling and Waste*  
11 *Services, LLC*

12  
13 Pursuant to Local Rule 5-1(i)(3), I, David J. Molton, attest that concurrence in filing  
14 this document has been obtained from the other signatories.

15 Brown Rudnick LLP

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17 /s/ David J. Molton

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ORDER

WHEREAS, on October [13], 2020, Appellees and Appellants filed the *Joint Stipulation and Proposed Order Scheduling Briefing on Motion to Dismiss* (the “**Stipulation**”) requesting a short extension of the briefing schedule on the Motion to Dismiss;


For the reasons set forth in the Stipulation, and good cause appearing therefor,

1. Appellants must file any response to the Motion to Dismiss by October 30, 2020.

2. Appellees must file any reply to Appellants’ response to the Motion to Dismiss by November 20, 2020.

**IT IS SO ORDERED.**

Dated: October 14, 2020

  
The Honorable Haywood S. Gilliam, Jr.  
United States District Judge